


within 14 days to address certain deficiencies. (Doc. 2.) On August 22, 2018, the Magistrate Judge issued the instant R&R recommending the dismissal without prejudice of this action because Plaintiff had failed to file an amended complaint as directed. On August 27, 2018, Plaintiff filed an Amended Complaint. (Doc. 6).

As Plaintiff is proceeding pro se and his late filing was de minimus, the Court will allow his filing to be considered this time. However, Plaintiff is **ADVISED** that future failure to comply with timelines or to request an extension on a timely basis will not be excused. Accordingly, the Court **DECLINES TO ADOPT** the Magistrate Judge's Report and Recommendation as the opinion of this Court. The Clerk is **DIRECTED** to **REFER** this matter back to the Magistrate Judge for consideration of Plaintiff's Amended Complaint for compliance with the directives set forth in his August 3rd Order.

IT IS SO ORDERED this 14th day of September, 2018.


AMY TOTENBERG
UNITED STATES DISTRICT JUDGE